

**UNITED STATES DISTRICT COURT**

## EASTERN DISTRICT OF TEXAS

LONNIE WHITESIDE,

**Plaintiff,**

*versus*

**CIVIL ACTION NO. 1:11-CV-154**

UNITED STATES OF AMERICA, UNITED STATES ARMY AVIATION AND MISSILE COMMAND, and PC PHEIFFER CO., INC.,

### Defendants.

## ORDER

Pending before the court is Defendant United States Army Aviation and Missile Command's ("AMCOM") Motion to Dismiss (#12), wherein AMCOM moves the court to dismiss Plaintiff Lonnie Whiteside's ("Whiteside") claims on the ground that it is not a proper defendant under the Federal Tort Claims Act. Having been informed by counsel for Whiteside that he is unopposed to this motion, it is ordered that AMCOM's motion is GRANTED. Accordingly, AMCOM is dismissed from the above-styled action with prejudice.

SIGNED at Beaumont, Texas, this 7th day of July, 2011.

Maria A. Crone

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE